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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,679	08/30/2000	NAOKI HASHIMOTO	107179	1119

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EXAMINER

LAMB, TWYLER MARIE

ART UNIT PAPER NUMBER

2622

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/650,679	Applicant(s) HASHIMOTO ET AL.	
	Examiner Twyler M. Lamb	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Winter et al. (Winter) (US 6,535,295).

With regard to claim 1, Winter discloses a print system (Figure 1, system 10; Figure 8) comprising: a client device (digital camera 12, host computer 200) that deals with print data, the client device including related data setting unit that sets related

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image data for the print data, and a transmission unit that transmits the print data and the related image data (col 4, lines 37-48), and a print control device (printer 13, 14) connected to the client device (col 4, lines 49-55), the print control device including a receiving unit (reader 24) that receives the print data and the related image data from the client device (col 5, lines 1-8), and a memory (RAM 30) that stores the print data and the related image data in correspondence with the print data (col 5, lines 4-8), wherein at least one of the client device and the print control device includes an output unit that output the related image data when requested by a user (which reads on generating a proof sheet) (col 5, lines 8-14; col 6, lines 1-12; col 9, lines 46-58).

With regard to claim 2, Winter also discloses wherein the output unit includes at least one of a display (LCD display 34) that displays the related image data and a printer engine (laser printer 14) that prints out the related image data stored in the memory of the print control device (col 5, lines 8-25; col 6, lines 1-12).

With regard to claim 3, Winter also discloses wherein the related data setting unit sets at least one set of related image data for one set of print data (col 2, lines 55-63).

With regard to claim 4, Winter also discloses wherein the related data setting unit selects one of the at least one set of related image data as representative image data, and the output unit outputs the representative image data (col 6, lines 1-26).

With regard to claim 5, Winter also discloses wherein at least one of the client device and the print control device further includes an input unit through which a user selects at least one page of the print data stored in the memory of the print control

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device (col 9, lines 46-55), and a printer engine (printer 14) that prints out the at least one page selected by the user (col 9, lines 46-58).

With regard to claim 6, winter also discloses wherein when the user has selected a plurality of pages of the print data, the printer engine prints out the plurality of pages in an order in which the user has selected the plurality of pages (col 9, lines 46-58).

With regard to claim 7, Winter also wherein the print control device further includes an erasure unit that erases print data for page other than the at least one page selected by the user from the memory (col 2 lines 19-22).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winter et al. (Winter) (US 6,535,295) in view of Murahashi (US 5,864,652).

With regard to claim 8, Winter does not clearly teach wherein the related data setting unit generates reduced data by reducing the print data by a predetermined reduction rate, the related data setting unit setting the reduced data as the related image data.

Murahashi discloses a printer that includes wherein the related data setting unit generates reduced data by reducing the print data by a predetermined reduction rate,

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the related data setting unit setting the reduced data as the related image data (col 5, lines 33-43).

There fore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Winter to include wherein the related data setting unit generates reduced data by reducing the print data by a predetermined reduction rate, the related data setting unit setting the reduced data as the related image data as taught by Murahashi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Winter by the teaching of Murahashi to achieve greater storage as taught by Murahashi in col 5, lines 33-43.

The limitations of claims 9-27 are met by the rejections above.

Response to Arguments

6. Applicant's arguments, see Amendment, filed 6/23/04, with respect to the rejection(s) of claim(s) 1-7 under USC 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Winter et al. (Winter) (US 6,535,295).

From the remarks it appears that the image data could be represented by any index image.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler M. Lamb whose telephone number is 703-308-8823. The examiner can normally be reached on M-Thurs 6:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Twyler M. Lamb
Examiner
Art Unit 2622